

UNITED STATES DISTRICT COURT
DISTRICT OF NEW HAMPSHIRE

SUZANNE BROWN,)

Movant/Petitioner)

) **Case No. 1:16-CR-00021-JL**
V.)

UNITED STATES OF AMERICA,)

Defendant/Respondent)

)

MOTION FOR SUMMARY JUDGMENT
PETITION FOR WRIT OF ERROR CORAM NOBIS
AND MOTION FOR INTERIM STAY OF SENTENCE
ON GROUNDS OF ACTUAL INNOCENCE
(NEW EVIDENCE AND CHANGE IN LAW)

(EXPEDITED DISPOSITION RESPECTFULLY REQUESTED)

Movant/Petitioner (also Defendant in related case 20-CV-00170) respectfully requests that this honorable Court grant the expedited relief in accordance with FRCP Rule 56, as a Matter of Law.

In the interest of correcting a manifest injustice, this petition is a fervent appeal to the Court after more than eight years and ten months [including one year (2022) of incarceration] to dismiss the false charges (all 12 counts of the wrongful indictment and conviction); and reverse as much personal and familial, professional, and financial damage as possible to Petitioner, as specified below.

Grounds for expedited summary disposition and all forms of relief follow in the attached memorandum of law.

Motion Attachments:

1. Memorandum of Law
2. Petitioner Affidavit
3. Exhibit: Discrimination Financial Assistance Application (including determination; reviewer comments)

Pro Se Petitioner respectfully requests the solicitude and patience of the Court for any inadvertent form or process errors contained in this and any attendant filings, respectfully requesting that the Clerk immediately file all documents in their present form with the opportunity for Petitioner to correct as required (New Hampshire District Court Local Rule 5.2).

If Petitioner has inadvertently mischaracterized or misfiled this motion, Petitioner respectfully requests that in lieu of dismissal (with or without prejudice) that the Court please

transfer this motion to the proper court/jurisdiction, recharacterize this motion correctly, and/or allow Petitioner to take necessary action to affect same [First Circuit Local Rule 22.1(e)].

Petitioner presently lacks the entire case file (except the attached new evidence) and trial exhibits required for citations and other specificity to bolster this petition. With the Court's permission, Petitioner will determine where these materials currently reside; obtain the entire case file and exhibits; and promptly amend the pleadings, if necessary.

Prayer for Relief:

For the reasons contained within this motion and supporting documents, Petitioner requests this honorable Court grant the following relief:

Interim:

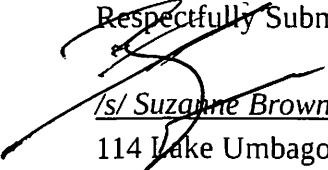
1. Judicial notice and acceptance of newly discovered evidence and change in law;
2. Stay of remainder of sentence (payment of restitution and/or administrative fees) pending resolution;
3. Appointment of counsel in forma pauperis, under the Criminal Justice Act;
4. Permission for appointed counsel to amend pleadings, as necessary;
5. Permission to file additional supporting pleadings, if required or requested;
6. Permission to obtain case records, conduct discovery and expand the record, as necessary.

Final:

1. Grant Writ of Coram Nobis;
2. Vacate conviction and sentence as a Matter of Law;
3. Grant Certificate of Actual Innocence;
4. Expunge entire Department of Justice criminal record, including all investigation, arrest and conviction data; BOP records and DOJ/BOP/FBI/NCIC numeric identifiers; DNA material; and all other personal and private information;
5. Order refund of restitution and/or administrative fee payments made to date, estimated at approximately \$175;
6. Release government lien of \$82,395 against property at 371 Thistle St, Upton, Maine 04261;
7. Return of United States passport, surrendered to the United States Marshal on March 8, 2016;
8. Press release from Department of Justice correcting January 2017 wrongful conviction published media.

Date: December 15, 2024

Respectfully Submitted,


/s/ Suzanne Brown

114 Lake Umbagog

P.O. Box 253

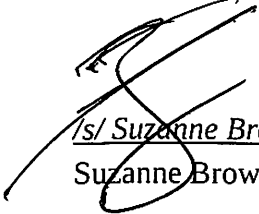
Errol, NH 03579

(603) 828-4860

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Certificate of Service

I hereby certify that on this day of December 15, 2024, a copy of the above motion and supporting documents was served on United States Attorney Jane E. Young, via First Class United States Postal Mail.


/s/ Suzanne Brown
Suzanne Brown